



JACK WASS

BARRISTER

BARRISTER AND SOLICITOR OF THE HIGH COURT OF NEW ZEALAND (2009)
BARRISTER OF THE SUPREME COURT OF VICTORIA, AUSTRALIA (2015)

Overview

Jack practises civil and commercial litigation from Stout Street Chambers in Wellington, where he has practised as a barrister since his admission to the Bar in 2009. The focus of his work is cross-border disputes, including private international law, public international law and international arbitration. He is recognised for his specialty expertise in these areas, and has appeared in many leading cases.

Educational Background

LLM (First Class) (<i>University of Cambridge</i>)	2013
3 Verulam Buildings Price for First in International Commercial Litigation	
LLB (Hons) (First Class) (<i>Victoria University of Wellington</i>)	2008
Quentin-Quentin Baxter LLM Prize in Public and International Law	
BA (<i>Victoria University of Wellington</i>)	2008

Professional Experience

Civil and commercial litigation. Jack has a wide civil litigation practice with a particular focus on cross-border disputes. Matters include:

- *Kea Investments Ltd v Wikeley Family Trustee Ltd* (multiple decisions of High Court and Court of Appeal), a multi-million dollar cross-border fraud claim
- *Salih v Almarzooqi* [2023] NZCA 645, [2024] 2 NZLR 27 (enforcement of Islamic marriage contract)
- *Body Corporate DPS 91535 v 3A Composites GmbH* [2023] NZCA 645 (cross-border product liability)
- *Whyte v a2 Milk Ltd* [2023] NZHC 22, [2023] 2 NZLR 486 (jurisdiction over class actions)
- *Commerce Commission v viagogo AG* [2019] NZCA 472, [2019] 3 NZLR 559 (leading decision on international jurisdiction and interim relief)
- *McGougan v DePuy International Ltd* [2018] NZCA 91, [2018] 2 NZLR 916 (territorial application of Accident Compensation Act)
- *Kuwait Finance House (Bahrain) BSC v Teece* [2017] NZHC 1308, [2018] 2 NZLR 257 (enforcement of foreign judgments)

Current matters on which Jack is instructed include:

- a cross-border tort claim
- acting for the administrator of an estate with assets in multiple jurisdictions;
- in a cross-border breach of trust claim;
- in proceedings under the Employment Relations Act 2000 concerning exploitation of migrant workers;
- in proceedings under the Accident Compensation Act 2001

Advice and expert evidence. Jack is frequently asked to advise on New Zealand law as it relates to cross-border proceedings in New Zealand and overseas, including:

- Advising the New Zealand Government on questions of sovereign immunity in foreign courts
- Advising New Zealand Government on consistency of treaty commitments under negotiation with New Zealand law
- Providing advice for the purpose of foreign proceedings concerning New Zealand trusts
- Providing an expert opinion for proceedings in Taiwan concerning New Zealand law
- Providing advice on New Zealand law issues in relation to proceedings in countries including the United States, Canada, the United Kingdom, Australia, Asia and Europe.

Law Reform and Publications

Legislative advice. Jack is a member of the New Zealand Law Society Law Reform Committee, and has appeared before Parliamentary Select Committees on a number of occasions, including:

- He was the co-author of a submission on the Private International Law (Choice of Law in Tort) Act 2017. He appeared before the Select Committee and gave advice on the relationship between tort claims and the ACC Act which was quoted and acknowledged in Parliamentary debates
- He has drafted or presented submissions on numerous pieces of legislation both on behalf of the New Zealand Law Society and his own capacity (including the Arbitration Amendment Act 2016, Arms Brokering Amendment Bill, International Crimes and International Criminal Court Amendment Act 2020)

Law reform. Jack has a longstanding interest in law reform, including:

- Jack has assisted the New Zealand Law Commission on various projects, on both a paid and pro bono basis, including the review of Property (Relationships) Act 1976 (2019) and the review of Succession Law (2021)
- Jack has advised New Zealand government departments and agencies on cross-border issues arising in the drafting of legislation, the negotiation of international treaties and the exercise of executive decision-making

Publications. Jack frequently publishes on his specialist areas:

- Jack is the co-author of *The Conflict of Laws in New Zealand* (LexisNexis, 2020), the first comprehensive textbook on the subject in New Zealand and joint winner of the JF Northey Prize for best legal text published in New Zealand
- Jack has published numerous articles in peer-reviewed and practitioner journals in New Zealand and overseas, including the British Year Book of International Law, International and Comparative Law Quarterly (UK) and New Zealand Business Law Quarterly